



Docket No.: PB340P2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Choi et al.

Application No.: 08/961,083

Group Art Unit: 1645

Filed: October 30, 1997

Examiner: Jana A. Hines

For: Streptococcus pneumoniae SP036  
Polynucleotides, Polypeptides, Antigens and  
Vaccines (As Amended)

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**AMENDMENT AND REPLY UNDER 37 C.F.R. § 1.116**

**Mailstop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed January 23, 2004 (Paper No. 35), please consider the following remarks. Submitted concurrently herewith is a Fee Transmittal.

Prior to further examination, Applicants respectfully request entry of the following amendments.

- Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper.
- Remarks begin on page 6 of this paper.

DIPE JC98-337500  
MAR 23 2004  
U.S. PATENT & TRADEMARK OFFICE

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Approved for use through 7/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2004</h2> <p style="font-size: small; margin: 5px 0;">Effective 10/01/2003, Patent fees are subject to annual revision.</p>				<p><b>Complete if Known</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>08/961,083</td></tr> <tr><td>Filing Date</td><td>October 30, 1997</td></tr> <tr><td>First Named Inventor</td><td>Gil H. Choi</td></tr> <tr><td>Examiner Name</td><td>J. A. Hines</td></tr> <tr><td>Art Unit</td><td>1645</td></tr> <tr><td>Attorney Docket No.</td><td>PB340P2P2</td></tr> </table>				Application Number	08/961,083	Filing Date	October 30, 1997	First Named Inventor	Gil H. Choi	Examiner Name	J. A. Hines	Art Unit	1645	Attorney Docket No.	PB340P2P2
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<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27																			
TOTAL AMOUNT OF PAYMENT		(\$)		0.00															

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																																					
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: <span style="border: 1px solid black; padding: 2px 20px;">08-3425</span> Deposit Account Name: <span style="border: 1px solid black; padding: 2px 40px;">Human Genome Sciences, Inc.</span> The Director is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				<h3>3. ADDITIONAL FEES</h3> <table border="1" style="width:100%; border-collapse: collapse; font-size: x-small;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - 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\*\*or number previously paid, if greater; For Reissues, see above

SUBTOTAL (3) (\$)				0.00			
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SUBMITTED BY				(Complete (if applicable))					
Name (Print/Type)	Lin J. Hymel			Registration No. (Attorney/Agent)	45,414		Telephone	(301) 251-6015	
Signature				Date	March 23, 2004				